



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,964	01/19/2001	Mohammad S. Salim	023.001.USP	9148

46317 7590 04/11/2007
TRENNER LAW FIRM, LLC
12081 WEST ALAMEDA PARKWAY #163
LAKEWOOD, CO 80228

EXAMINER

LIN, KENNY S

ART UNIT	PAPER NUMBER
----------	--------------

2152

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/765,964

Applicant(s)

SALIM ET AL.

Examiner

Kenny Lin

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-28 are presented for examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/22/2007 has been entered.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack proper antecedence basis:

- i. Claim 1, line 6 – said relation;
- ii. Claim 1, lines 8 and 10 – the at lest one data source (datasource);
- iii. Claim 1, line 11 – said workflow.

- b. The term "more sophisticated" in claims 1, 2, 13 and 21 is a relative term which renders the claim indefinite. The term "more sophisticated" is not defined by the

claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 2, 13 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaplan et al, US 5,446,891.

7. As per claim 2, Kaplan taught the invention as claimed including an active information model for an enterprise comprising:

a. At least one personal information portal wherein the personal information portal indicates an individual within the enterprise (figures 4 and 6) and comprises:

i. A storage mechanism configured to store information and a role of the individual wherein the role indicates first relationships of the individual with sources of the information and with at least one function that the individual performs within the enterprise (col.4, lines 33-38, col.5, lines 64-67, col.6, lines 1-9, 18-27, col.13, lines 56-58, 64-65, col.17, lines 12-17; profile store 50); and

- ii. An active agent configured to retrieve the role from the storage mechanism, exchange the information with the storage mechanism and the sources of the information based on the role, and process the information based on the role (col.4, lines 33-38, col.6, lines 24-27, col.13, lines 54-56, col.17, lines 18-22: profile processor 38) to improve the active information model over time to reflect more sophisticated needs of an individual (col.4, lines 43-59, col.13, lines 58-60, col.17, lines 30-33, 44-47: autolearner).

8. As per claim 13, Kaplan taught the invention as claimed including a method of operating an active information model for an enterprise to improve a simple active information model over time to reflect more sophisticated needs of an individual (col.4, lines 43-59, col.13, lines 58-60, col.17, lines 30-33, 44-47: autolearner), wherein the active information model comprises at least one personal information portal that indicates an individual within the enterprise (figures 4 and 6), the method comprising:

- a. Storing a role of the individual in a storage mechanism within the personal information portal wherein the role indicates first relationships of the individual with sources of information and functions that the individual performs within the enterprise (col.4, lines 33-38, col.5, lines 64-67, col.6, lines 1-9, 18-27, col.13, lines 56-58, 64-65, col.17, lines 12-17: profile.store 50);

- b. In an active agent included within the personal information portal, retrieving the role of the individual from the storage mechanism (col.4, lines 33-38, col.6, lines 24-27, col.13, lines 54-56, col.17, lines 18-22: profile processor 38);
- c. In the active agent, exchanging the information with the storage mechanism and the sources of the information based on the role (col.4, lines 33-38, col.6, lines 24-27, col.13, lines 54-56, col.17, lines 18-22); and
- d. In the active agent, processing the information based on the role (col.4, lines 33-38, col.6, lines 24-27, col.13, lines 54-56, col.17, lines 18-22).

9. As per claim 21, Kaplan taught the invention as claimed including a software product for operating an active information model for an enterprise, wherein the active information model improves over time to reflect more sophisticated needs of the enterprise (col.4, lines 43-59, col.13, lines 58-60, col.17, lines 30-33, 44-47: autolearner), wherein the active information model comprises at least one personal information portal that indicates an individual within the enterprise (figures 4 and 6) and comprises a storage mechanism and an active agent, the software product comprising:

- a. Active agent software operational when executed by a processor to direct the processor to retrieve a role from the storage mechanism, exchange information with the storage mechanism and sources of the information based on the role, and process the information based on the role wherein the role indicates first relationships of the individual with the sources of the information and functions

Art Unit: 2152

that the individual performs within the enterprise (col.4, lines 33-38, col.5, lines 64-67, col.6, lines 1-9, 18-27, col.13, lines 54-58, 64-65, col.17, lines 12-22); and

- b. A software storage medium operational to store the active agent software (a storage medium is essential for storing software).

10. Claims 2, 4, 8, 10-13, 15, 19, 21, 23 and 27 are also rejected under 35 U.S.C. 102(b) as being anticipated by Baker et al (hereinafter Baker), US 5,678,041.

11. Baker is cited in the previous office action.

12. As per claim 2, Baker taught the invention as claimed including an active information model for an enterprise comprising:

- a. At least one personal information portal wherein the personal information portal indicates an individual within the enterprise (col.4, lines 17-34) and comprises:

- i. A storage mechanism configured to store information and a role of the individual wherein the role indicates first relationships of the individual with sources of the information and with at least one function that the individual performs within the enterprise (col.4, lines 17-34, col.5, lines 45-65, col.6, lines 4-23); and

- ii. An active agent configured to retrieve the role from the storage mechanism, exchange the information with the storage mechanism and the sources of the information based on the role, and process the information

based on the role (col.3, lines 15-18, col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-12) to improve the active information model over time to reflect more sophisticated needs of an individual (col.3, lines 15-27, col.6, lines 57-67, col.7, lines 1-16, 24-50).

13. As per claim 13, Baker taught the invention as claimed including a method of operating an active information model for an enterprise to improve the active information model over time to reflect more sophisticated needs of an individual (col.3, lines 15-27, col.6, lines 57-67, col.7, lines 1-16, 24-50), wherein the active information model comprises at least one personal information portal that indicates an individual within the enterprise (col.4, lines 17-34), the method comprising:

- a. Storing a role of the individual in a storage mechanism within the personal information portal wherein the role indicates first relationships of the individual with sources of information and functions that the individual performs within the enterprise (col.4, lines 17-34, col.5, lines 45-65, col.6, lines 4-23);
- b. In an active agent included within the personal information portal, retrieving the role of the individual from the storage mechanism (col.4, lines 17-34, col.5, lines 15-24, 45-65, col.6, lines 4-12);
- c. In the active agent, exchanging the information with the storage mechanism and the sources of the information based on the role (col.3, lines 15-18, col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-12); and

- d. In the active agent, processing the information based on the role (col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-12).

14. As per claim 21, Baker taught the invention as claimed including a software product for operating an active information model for an enterprise to improve the active information model over time to reflect more sophisticated needs of the enterprise (col.3, lines 15-27, col.6, lines 57-67, col.7, lines 1-16, 24-50) wherein the active information model comprises at least one personal information portal that indicates an individual within the enterprise and comprises a storage mechanism and an active agent (col.4, lines 17-34), the software product comprising:

- a. Active agent software operational when executed by a processor to direct the processor to retrieve a role from the storage mechanism, exchange information with the storage mechanism and sources of the information based on the role, and process the information based on the role wherein the role indicates first relationships of the individual with the sources of the information and functions that the individual performs within the enterprise (col.3, lines 15-18, col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-12, 49-67); and
- b. A software storage medium operational to store the active agent software (a storage medium is essential for storing software).

15. As per claims 4, 15 and 23, Baker taught the invention as claimed in claims 2, 13 and 21. Baker further taught wherein the role indicates second relationships between elements in the information (col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-12).

16. As per claims 8, 19 and 27, Baker taught the invention as claimed in claims 2, 13 and 21. Baker further taught wherein the active agent is configured to establish connections with the sources of the information based on the role (col.4, lines 17-34, col.5, lines 15-24, 45-65, col.6, lines 4-12).

17. As per claim 10, Baker taught the invention as claimed in claim 2. Baker further taught wherein the active agent comprises a provider interface configured to exchange information between the active agent and the source of information (fig.3: processor and network resources communication; col.3, lines 15-18, col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-12, 49-67, col.7, lines 1-50; It is inherently to include an interface for exchanging information between two devices).

18. As per claim 11, Baker taught the invention as claimed in claim 2. Baker further taught wherein the active agent comprises a consumer interface configured to establish connections with the sources of the information based on the role (fig.3: processor and network resources communication; col.3, lines 15-18, col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-12, 49-67, col.7, lines 1-50; It is inherently to include an interface for communication between two devices).

19. As per claim 12, Baker taught the invention as claimed in claim 2. Baker further taught wherein the active agent comprises an execute interface configured to exchange and process the

Art Unit: 2152

information based on the role (col.3, lines 15-18, col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-12, 49-67, col.7, lines 3-50; fig.4-6).

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claims 1, 3, 5-7, 9, 14, 16-18, 20, 22, 24-26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al (hereinafter Baker), US 5,678,041, in view of Davis et al (hereinafter Davis), US 5,937,388.

22. Davis was cited in the previous office action.

23. As per claim 1, Baker taught the invention substantially as claimed including an active information model comprising:

- a. At least one personal information portal having access to an active engine, an information service, and a persistent storage service (col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-23),
- b. Said active engine associated with at least one datasource, and at least one relation; said active agent being related to an individual's role within at least one

Art Unit: 2152

enterprise (col.3, lines 15-18, col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-12),

- c. Said relation associated with a rule and an association (col.3, lines 15-18, col.4, lines 17-67, col.5, lines 1-27, 45-65, col.6, lines 4-12), said at least one relation characterizing the relationship between elements of the at least one datasource (col.3, lines 8-18, col.4, lines 17-67, col.5, lines 1-27: access rights and rating class of network resources), the association declaring a relationship exists between two or more elements of the at least one datasource (col.3, lines 8-18, col.4, lines 17-67, col.5, lines 1-27), and the rule embodying the association (col.5, lines 8-27),
- d. Said datasource associated with a category (col.4, lines 44-67, col.6, lines 57-61), wherein the active information model improves over time to reflect more sophisticated needs of the individual (col.3, lines 15-27, col.6, lines 57-67, col.7, lines 1-16, 24-50).

24. Baker did not specifically teach that the active engine to associate with at least one workflow, said workflow associated with a command and an action. Davis taught an active engine associated with a workflow wherein commands and actions can be issued (col.3, lines 7-15, col.4, lines 15-19, 37-40, 47-57, col.5, lines 15-48, col.7, lines 24-26, 32-40) and that the datasource is associated with a category (col.4, lines 27-32, col.8, lines 15-17, col.17, lines 6-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Baker and Davis because Davis' teaching of workflow and data

Art Unit: 2152

categorization would enhance the workflow in Baker's more effectively (Davis, col.17, lines 6-11).

25. As per claims 3, 14 and 22, Baker taught the invention substantially as claimed in claims 2, 13 and 21. Baker did not specifically teach wherein the role further comprises a plurality of categories of the sources of the information wherein the categories define access to and treatment of the information. Davis taught to categorized sources in the datasource defining access to and treatment of the information to provide more effective workflow processing (col.4, lines 27-32, col.8, lines 15-17, col.17, lines 6-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Baker and Davis because Davis' teaching of workflow and data categorization would enhance the workflow in Baker's more effectively (Davis, col.17, lines 6-11).

26. As per claims 5, 16 and 24, Baker taught the invention substantially as claimed in claims 2, 13 and 21. Baker did not specifically teach wherein the role comprises workflow that indicates movement of the information between the sources. Davis taught to comprise workflow that indicates movement of the information between the sources (col.1, lines 51-56, col.5, lines 15-48, 56-67, col.6, lines 1-6, 44-54, col.7, lines 24-26, 32-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Baker and Davis because Davis' teaching of workflow management and process help to process Baker's method to perform workflow control, monitoring data exchanging and security (Davis, col.1, lines 51-56).

27. As per claims 6, 17 and 25, Baker and Davis taught the invention as claimed in claims 5, 16 and 24. Davis further taught wherein the workflow comprises a plurality of commands that move the information between the sources (col.3, lines 7-15, col.4, lines 15-19, 37-40, 47-57, col.5, lines 15-48, col.7, lines 24-26, 32-40).

28. As per claims 7, 18 and 26, Baker and Davis taught the invention as claimed in claims 5, 16 and 24. Davis further taught wherein the workflow comprises a plurality of actions that modifies the information (col.2, lines 37-39, col.3, lines 7-15, col.4, lines 15-19, 37-40, 47-57, col.5, lines 15-48, col.7, lines 24-26, 32-40).

29. As per claims 9, 20 and 28, Baker taught the invention as claimed in claims 2, 13 and 21. Baker did not specifically teach wherein the active agent is configured to log events that the active agent has performed in the storage mechanism. Davis taught a workflow management system with active agent keeping logs of the actions performed in storage (col.2, lines 42-44, col.7, lines 41-45, 55-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Baker and Davis because Davis' teaching of logging the events helps Baker's method to prevent workflow restart when system or workflow failures occur (Davis, col.7, lines 41-45).

Response to Arguments

Art Unit: 2152

30. Applicant's arguments filed 1/22/2007 have been fully considered but they are not persuasive.

31. Although the examiner understood the explanation from Mr. Mark Trenner that Baker reference is directed to a different art than what the invention is, applicant's amendment fails to further define the invention to distinctly point out the patentability of the invention to overcome Baker reference. The amendments fail to overcome Baker reference since the claim languages do not define what kind of relationship and associations are between elements of the datasource or define what the rule and elements are. Furthermore, the added limitation of "active information model improves over time to reflect more sophisticated needs of the individuals" is also taught by Baker since Baker discloses that an administrator can modify the database and update/change the resource ratings. Applicant is suggested to further amend to define how the active information model improves over time.

Conclusion

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lin, US 6,178,443.

David et al, US 6,449,632.

Hofmann et al, US 6,236,983.

Art Unit: 2152

33. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
April 4, 2007

